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PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. (3188)-42-2—*L. B., dated* 14—19*th October* 1904.

The Government of His Highness the Maharaja of Mysore are pleased to direct that para. 8 of the Rules framed under the Mysore Local Boards Regulation and published with Notification No. 30—Leg. 4-03, dated the 9th September 1903, as amended by Notification No. 2153—L. F. 66-03, dated the 7th December 1903, be further modified as follows :—

1. The words "not less than" shall be prefixed to the expression "30 members" and "25 members" occurring in Rule 8 as amended by Notification No. 2153—L. F. 66-03, dated the 7th December 1903, and the following addition made to clause (*c*) shall be omitted;

"and in the case of the Mysore District, also the Chief or Senior Officer for the French Rocks Sub-Division in the Engineering Department."

The Rule 8, as altered, will stand as follows :—

"The District Board for the Mysore District shall consist of not less than 30 members and every other District Board shall consist of not less than 25 members made up as follows :—"

Ex-officio.

Deputy Commissioner	1
Assistant do	5
Civil Surgeon	1
Executive Engineer	1
Deputy Inspector of Schools	1
	9
(d) Taluk representatives	14
(e) Other representatives	7
At present there are only 6.	
	30

Ex-Officio Members.

(*a*) The Deputy Commissioner, to be the President of the District Board.

(*b*) All Assistant Commissioners in Revenue charge of Taluks in the District as well as the Assistant Commissioner, if any, at District Head-quarters not placed in Revenue charge of a Taluk;

(c) The Chief or Senior Officer for the District in each of the Departments of Medical Relief, Engineering, and Education (Inspection of schools);

Other Members.

(d) One non-official representative from each of the Taluks in the District, who shall, on the first occasion under these Rules, be appointed by Government on the recommendation of the Deputy Commissioner, and thereafter be elected by the members of the Taluk Board from among their own body, or, in default of election, appointed by Government as aforesaid.

(e) The remainder to be appointed by the Government on the recommendation of the Deputy Commissioner and drawn as far as possible from interests or communities in the District not already sufficiently represented and which it may be desirable to represent on the Board.

No. J. 952—*Legis., dated* 15*th October* 1904.

In exercise of the powers conferred by the Mysore Game and Fish Preservation Regulation, II of 1901, the Government of His Highness the Maharaja are pleased to direct that the following proviso be added to the second paragraph of Rule 10 of the Game Rules published with Notification No. 9007—Legis. 56, dated the 11th December 1901, as amended by Notification No. 1677—J. 153, dated the 28th July 1902:—

"Provided that nothing in this paragraph applies to a State Forest or other Forest or land at the disposal of Government constituted as a Game Preserve by a Notification in this behalf."

No. J. 1005—*Regist.* 17-3, *dated* 22*nd October* 1904.

The following rules, framed under the provisions of Section 8 of the Mysore Registration Regulation, I of 1903, and approved by the Government of His Highness the Maharaja of Mysore, are published for general information:—

1. All Revenue Assistant Commissioners in charge of Divisions of Districts are appointed *ex-officio* Inspectors of Registration offices within their respective Divisions. The Treasury Assistant Commissioner of the District for the time being, is appointed *ex-officio* Inspector of Registration offices in the Taluks under the direct charge of the Deputy Commissioner.

2. It shall be the duty of these officers to inspect all the Sub-Registry offices in their respective Divisions. Copies of entries in Indexes, which, Sub-Registrars are required to submit to Registrars by Section 56 of the Registration Regulation, shall also be sent through the Inspectors of Registration offices, who, after checking the same, shall pass them on with their notes of corrections to the District Registrar.

3. Every Inspector of Registration offices shall visit the several Sub-Registry offices within his Division, and examine the registers and other records therein as often as necessary.

4. The inspection shall be conducted by the officer himself aided by clerks when necessary; but clerks shall not be deputed to do such work independently of the officer.

5. These inspections shall embrace the whole range of work of Sub-Registrars and shall be mainly directed to detect for rectification all errors in registration, or in procedure, or otherwise in the general working of the provisions of the Registration Regulation and the Rules framed thereunder by Government from time to time. They shall also extend to the examination of the working of the office generally; and all acts of negligence, omissions, or doubtful practices, and any laxity or irregularity should also be noted and reported.

6. On each occasion of an inspection, the Inspector shall make a memorandum of all the points he may notice in the form prescribed by the Inspector General, and such "Notes of Inspection of Sub-Registrar's office" shall be submitted to the District Registrar who shall issue the necessary orders except in cases to be forwarded to the Inspector General; but no Inspector shall issue any such order direct to the Sub-Registrar.

7. Every Inspector shall submit once a year a note to the Inspector General embodying his opinion on the causes of fluctuations in registration of documents and his views in regard to the general progress of registration in his Division.

8. Every Inspector of Registration offices shall be subordinate to the Inspector General. The Inspector General will from time to time issue instructions in detail for the performance of the duties hereby prescribed to be done by every Inspector, fix the time and number of inspections of each office with due regard to the quantity of work to be examined, that is to say, the number of documents to be gone through, specify the work to be done during these inspections and enforce their strict performance by these officers.

9. All Inspectors shall conduct the inspection in accordance with the Departmental instructions that may be issued from time to time by the Inspector General under these Rules and the Rules framed under the provisions of Section 69 of the Registration Regulation.

Notification No. R. 3725—*Fts.* 63-03-3, *dated* 27*th October* 1904.

In exercise of the powers conferred by the Mysore Forest Regulation, XI of 1900, the Government of His Highness the Maharaja are pleased to prescribe the following rule:—

"In any State Forest or other forest or land at the disposal of Government which has been constituted a Game preserve by a notification in this behalf, no one shall hunt, fish, or set traps or snares, except with the express sanction of His Highness the Maharaja's Government."

No. R. 3837—*Fts.* 17-04-3, *dated* 1*st November* 1904.

The Government of His Highness the Maharaja of Mysore are pleased to direct that the following be substituted for Rule 7 of the Raiyats' Privileges Rules published under Notification No. 6084—Ft. F. 105-95, dated the 8th January 1896.

"Raiyats in the Malnad will be entitled to take free and without permit, thorny bamboos "for hedges and fences, dead date or bagani palm trees required for agricultural implements "or for sugar-cane hedges and water courses, and canes for agricultural purposes."

No. 3634—L. F. 375-92, *dated* 31*st October*—1*st November* 1904.

In exercise of the powers conferred by the Cattle Trespass Act of 1871, as in force in Mysore, and by the Mysore Local Boards Regulation, II of 1902, and with reference to Section 7, clause (f) of the latter enactment, the Government of His Highness the Maharaja of Mysore are pleased to direct that the cattle-pounds, established in, or in the vicinity of State Forests, lands placed under special protection under Section 35 of the Mysore Forest Regulation of 1900 and Amrut Mahal kavals, solely for impounding cattle, trespassing on such tracts, shall be excepted from the control of District Boards.

2. The rules in force regarding the opening, the control and the maintenance of cattle-pounds established by the Forest Department shall apply to those established in Amrut Mahal kavals also.

No. 3738-71-5—*Ml.*, *dated* 3—4*th November* 1904.

The Government of His Highness the Maharaja are pleased, under Section 38 of the City of Mysore Improvements Regulation, III of 1903, to prescribe the following Rules for the grant of loans to persons, not being Government servants, to enable them to build houses and make other improvements in the Mysore City under Section 27 (3) of the said Regulation :—

1. Applications for loans may be made to the Chairman of the Board of Trustees for the Improvements of the City of Mysore, and shall contain the particulars specified in Form A (appended) and be signed by the applicant.

2. They shall be presented in person and shall contain the following information in the column of remarks in Form A—

I. Whether the applicant proposes to supplement the loan by any private capital, and if so, to what extent.

II. The estimated total cost of the building proposed to be constructed or of the improvements, and the probable period that will be occupied in its construction. When the foregoing particulars are not entered in the application, the Chairman shall ascertain them so far as may be possible from the oral statement of the applicant or otherwise, record them on the application or on a paper to be attached thereto, and have them read over to the applicant and acknowledged by him to be correct.

3. The loans shall be granted :—

(a) For building new houses in the Extensions of the City or on sites re-allotted in the City or elsewhere in the City with the approval of the Board.

(b) For the sanitary improvements of the existing houses both in the Extensions and in the City such as :—

(i) Conversion of mud floors into floors with mortar concrete or with flooring tiles.

(ii) Conversion of bamboo pot-tiled or thatched roof into improved tiled or terraced roof.

(iii) Conversion of mud walls into burnt brick walls.

(iv) Constructing proper drains and making sewage connections.

(c) For erecting separate cattle sheds, etc.

4. Collateral security shall be offered by the applicants for twice the amount of the loan applied for, and in the absence of the same, the Chairman may take the personal security of two respectable persons.

5. The Chairman shall, after seeing that the application contains all the necessary particulars, satisfy himself by making such enquiries as he deems necessary as to the sufficiency of the collateral security or personal security as the case may be.

6. On completion of the enquiry, the Chairman shall dispose of the application on its merits, and direct the grant of the loan either in full or in part, as is deemed desirable.

7. The Chairman will sanction loans not exceeding Rs. 200 in each case on his own authority, and all loans exceeding that amount, with the sanction of the Board.

8. If, on a review of the local enquiry, and such further investigation, as may be deemed necessary, the Chairman is not satisfied about the sufficiency of the collateral security, or the solvency of the sureties, it shall be lawful for him either to reject the application for the loan or in case the loan is required for building a new house, postpone disposal of the application, till substantial progress is made with the construction of the building, and then refer the application for the special orders of the Board.

9. When a reference is made to the Board under the provisions of clause 8 above, by the Chairman, the Board may dispense with the requirements of the rules regarding collateral and personal security, and grant the loan either in whole or part as may seem proper to the Board.

10. Interest shall be charged on loans at the rate of 3 % per annum. If the Chairman considers that in special cases, the loan should be granted at a lower rate of interest or without interest, he should place such cases before the Board for decision.

11. When an order granting the loan is passed, it shall be endorsed by the applicant to the effect that he has understood and agreed to all conditions specified in the loan order (Form B) and it shall be signed by him in the presence of two witnesses who shall also attest the endorsement. The person applying for a loan shall also, as soon after the loan is sanctioned as possible, and before obtaining it, execute a bond in Form C.

12. If any property other than the property of the applicant is pledged or mortgaged as collateral security for the repayment of the loan, the order shall be similarly endorsed, signed and attested by the sureties and witnesses.

13. The applicant shall sign an agreement binding himself to conform to the provisions contained in the "Building Bye Laws."

14. The order granting the loan shall be in Form B appended to these rules. It shall be retained in the office of the Chairman and a copy of it shall be given to the applicant.

15. The security bond to be executed by a surety, if any, shall be in Form D appended.

16. The Chairman shall, at his discretion, direct the loan to be paid in instalments according to the progress of the work shown. In no case, prior to the final payment, shall the instalment or aggregate of instalments exceed 75% of the value of the materials collected or work executed.

17. When the loan is paid in instalments, interest at 3% per annum shall be charged on the loan, only from the date of the actual payment of the last instalment, none being charged on previous instalments.

18. The loan granted with interest at 3 per cent per annum shall be repaid by the applicant by means of quarterly instalments, the first commencing three months after completion of the building. The number of such instalments and the period covered by the same shall be determined by the Chairman after due consideration of all the circumstances of the case, but the period of repayment shall not exceed the maximum limit of 10 years. If in any case a longer period for repayment is desirable, the special sanction of the Board shall be obtained on a full report of the circumstances of the case.

Provided that, if default is made in the payment of any instalment, interest may be charged thereon at 5 per cent per annum.

19. The applicant may discharge the loan with interest due thereon at any time before the date on which it is repayable, and in such cases the Board shall remit one-half of the interest paid by the applicant in respect of the loan from the date of its grant to the date on which it may be discharged.

20. Before the repayment of the loan in full, all transfers of any interest in the building for the construction or improvement of which the loan has been obtained, by gift, sale, mortgage or lease exceeding five years, shall be void, unless they are made with the consent of the Board, whether such transfer is made by the applicant or by his heirs in Law, after his death.

21. If the house or the improvements are not completed, as agreed to, within the prescribed period from the date of the grant of the license to build the house or effect the improvements, the site, the unfinished structure, and the materials at site, shall be liable to be appropriated towards the complete or partial discharge of the loan made.

22. In cases in which the unfinished structure is appropriated as aforesaid, it shall be lawful for the Chairman to complete the structure and sell the same by public auction, any difference between the amount due to Government and the sale proceeds being recovered from the applicant in accordance with the provisions contained in the following para.

23. All sums payable under these rules shall be recoverable as provided for in Section (45) of the Mysore City Improvement Regulation (III of 1903).

By order,
B. K. VENKATAVARADAIYENGAR,
Secy. to Govt., Gen. & Rev. Dept.